

8

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FREE SPEECH COALITION, INC. et al.,

Plaintiffs,

v.

THE HONORABLE LORETTA E. LYNCH,
Attorney General,

Defendant.

)
) **Civil Action No. 2:09-4607**
)
) **JUDGE MICHAEL M. BAYLSON**
)
)
) **PROPOSED FORM OF JUDGMENT**

FILED
JAN - 6 2017
LUCY M. HARRIS, Clerk
U.S. District Court
Eastern District of Pennsylvania

JUDGMENT

In accord with the June 8, 2016 opinion of the Third Circuit Court of Appeals, *Free Speech Coalition, Inc. v. Attorney General of United States of America*, 825 F.3d 149 (3rd Cir. 2016), the Court hereby declares that 18 U.S.C. § 2257(f)(5), 18 U.S.C. § 2257A(f)(5), as well as the portions of 18 U.S.C. § 2257(c) and 18 U.S.C. § 2257A(c) that require recordkeepers to “make such records available to the Attorney General for inspection at all reasonable times,” and 28 C.F.R. § 75.5 are facially unconstitutional under the Fourth Amendment. The Court enters judgment in FAVOR of Plaintiffs and AGAINST the government as to this issue.

January 6, 2017

BY THE COURT:



MICHAEL M. BAYLSON, U.S.D.J